

FILED**OCT 21 2019****UNITED STATES DISTRICT COURT**for the
Southern District of IllinoisCLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

_____)	Case Number: <u>19-1140- NJR</u>
<u>RAYMOND STINDE</u>)	(Clerk's Office will provide)
_____)	
Plaintiff(s)/Petitioner(s))	
v.)	
<u>LT. JOSHUA SCHOENBECK, C/O MARI-</u>)	<input checked="" type="checkbox"/> CIVIL RIGHTS COMPLAINT
<u>VON T. AMPIER, GRIEVANCE OFFICE</u>)	pursuant to 42 U.S.C. §1983 (State Prisoner)
<u>JANE OR JOHN DOE, WARDEN FRANK</u>)	<input type="checkbox"/> CIVIL RIGHTS COMPLAINT
<u>LAWRENCE, SHIELA RAMSEY</u>)	pursuant to 28 U.S.C. §1331 (Federal Prisoner)
Defendant(s)/Respondent(s))	<input type="checkbox"/> CIVIL COMPLAINT
	pursuant to the Federal Tort Claims Act, 28 U.S.C.
	§§1346, 2671-2680, or other law

I. JURISDICTIONPlaintiff: RAYMOND STINDE R34993

A. Plaintiff's mailing address, register number, and present place of confinement.

P.O. BOX 1000
MENARD, IL.
62259

Defendant #1:

B. Defendant LIEUTENANT JOSHUA SCHOENBECK is employed as
(a) (Name of First Defendant)LIEUTENANT 1 ADJUSTMENT COMMITTEE CHAIR PERSON
(b) (Position/Title)with MENARD CORRECTIONAL CENTER AT P.O. BOX
(c) (Employer's Name and Address)1000 MENARD, IL. 62259At the time the claim(s) alleged this complaint arose, was Defendant #1
employed by the state, local, or federal government? ☒ Yes ☐ NoIf your answer is YES, briefly explain: HE IS EMPLOYED BY THE
ILLINOIS DEPARTMENT OF CORRECTIONS.

Defendant #2:

C. Defendant MARIVON T. AMPIER is employed as

(Name of Second Defendant)

CORRECTIONAL OFFICER AND WAS A ADJUSTMENT COMMITTEE
CHAIRPERSON. (Position/Title)

with MENARD CORRECTIONAL CENTER AT P.O. BOX
1000, MENARD, IL. 62259
(Employer's Name and Address)

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain: SHE IS EMPLOYED BY THE
ILLINOIS DEPARTMENT OF CORRECTIONS.

Additional Defendant(s) (if any):

D. Using the outline set forth above, identify any additional Defendant(s).

DEFENDANT #3 JANE OR JOHN DOE IS EMPLOYED AS A GRIEVANCE
OFFICER OR OFFICE COORDINATOR WITH MENARD CORRECTIONAL CENTER
AT P.O. BOX 1000, MENARD, IL. 62259. DEFENDANT # 3 IS EMPLOYED
BY THE ILLINOIS DEPARTMENT OF CORRECTION.

DEFENDANT #4 FRANK LAWRENCE IS EMPLOYED AS THE WARDEN/
CHIEF ADMINISTRATIVE OFFICER WITH MENARD CORRECTIONAL CENTER
AT P.O. BOX 1000, MENARD, IL. 62259. DEFENDANT #4 IS EMPLOYED
BY THE ILLINOIS DEPARTMENT OF CORRECTIONS.

DEFENDANT #5 SHIELA RAMSEY IS EMPLOYED AS A OFFICE COOR-
DINATOR WITH MENARD CORRECTIONAL CENTER AT P.O. BOX 1000
MENARD, IL. 62259. DEFENDANT #5 IS EMPLOYED BY THE ILLINOIS
DEPARTMENT OF CORRECTIONS.

II. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in state or federal court while you were in prison or jail (during either your current or a previous time in prison or jail), e.g., civil actions brought under 42 U.S.C. § 1983 (state prisoner), 28 U.S.C. § 1331 (federal prisoner), 28 U.S.C. §§ 1346, 2671-2680, or other law? ☒ Yes ☐ No

B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline. You must list ALL lawsuits in any jurisdiction, including those that resulted in the assessment of a "strike" under 28 U.S.C. § 1915(g) and/or those that were dismissed for being frivolous, malicious, or for failure to state a claim (see 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e)(2); Federal Rule of Civil Procedure 12(b)(6)). FAILURE TO FULLY DISCLOSE YOUR LITIGATION HISTORY, INCLUDING "STRIKES," MAY RESULT IN SANCTIONS THAT INCLUDE DISMISSAL OF THIS ACTION.

1. Parties to previous lawsuits:

Plaintiff(s): STINDE

VS

Defendant(s): CARNAHAN
ET AL.

STINDE

VS

TARR
ET AL.

2. Court (if federal court, name of the district; if state court, name of the county): FEDERAL COURT (NORTHERN DISTRICT)

3. Docket number: 1:09-CV-07343 & 1:15-CV-08309

4. Name of Judge to whom case was assigned:
LINDBERG & KENNEDY

5. Type of case (for example: Was it a habeas corpus or civil rights action?): CIVIL RIGHTS 1983

6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?): BOTH CASES DISMISSED
WITHOUT PREJUDICE.

7. Approximate date of filing lawsuit:

STINDE
VS
TARR = 12/14/09

STINDE
VS
CARNAHAN = 9/21/15

8. Approximate date of disposition:

STENDE ~~(XXXX)~~ 6-10-11 / STENDE 12-15-15
VS VS
TARR ET AL. CARNAHAN ET AL.

9. Was the case dismissed as being frivolous, malicious, or for failure to state a claim upon which relief may be granted and/or did the court tell you that you received a "strike?"

BOTH SUITS WERE DISMISSED WITHOUT
PREJUDICE.

III. GRIEVANCE PROCEDURE

A. Is there a prisoner grievance procedure in the institution? ☒ Yes ☐ No

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? ☒ Yes ☐ No

C. If your answer is YES,

1. What steps did you take? I FILED MY GRIEVANCE AND THE GRIEVANCE OFFICE RECEIVED IT, THEN IT CAME UP MISSING. HAD I FILED ANOTHER IT WOULD OF BEEN TIME BARRED AND GOT REJECTED. I WROTE THE ADMINISTRATIVE REVIEW BOARD AND TOLD THEM WHAT HAPPENED AND MADE THEM ~~THE~~ AWARE OF MENARD CONDUCT.

2. What was the result? THE GRIEVANCE OFFICE CLAIMED I BASICALLY DIDN'T FILE A GRIEVANCE. WHEN I HAVE DOCUMENTS STATING THERE OFFICE RECEIVED MY GRIEVANCE. AT THIS POINT HAD I WOULD OF FILED ANOTHER GRIEVANCE IT WOULD BE TIME BARRED & REJECTED.

D. If your answer is NO, explain why not.

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? ☐ Yes ☐ No

F. If your answer is YES,

1. What steps did you take?

2. What was the result?

IV. STATEMENT OF CLAIM

- A. State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you wish to present legal arguments or citations, file a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits. You should also attach any relevant, supporting documentation.

I BRING FOURTH THIS CLAIM UNDER 42 U.S.C. 1983 WITH VIOLATIONS OF THE EIGHTH AMENDMENT, 14TH AMENDMENT DUE PROCESS, THE AMERICANS WITH DISABILITIES ACT, 42 U.S.C. AND THE REHABILITATION ACT, 29 U.S.C.

1.) ON 7-11-19 I RECEIVED A DISCIPLINARY REPORT FROM CORRECTIONAL OFFICER BRANDON JUSTICE AT PINCKNEYVILLE CORRECTIONAL CENTER, SEGREGATION UNIT, AT APPROX. 10:05 AM FOR 102b-ASSAULT.

2.) CORRECTIONAL OFFICER JUSTICE ALLEGED PLAINTIFF HAD THROWN URINE ON HIM.

3.) AT APPROX. 2 OR 3 PM PLAINTIFF WAS SUBSEQUENTLY TRANSFERRED TO MENARD CORRECTIONAL CENTER THE SAME DAY OF 7-11-19.

4.) PLAINTIFF SUFFERS AND HAS BEEN DIAGNOSED WITH A SERIOUS MENTAL ILLNESS AND WAS GIVEN A COPY OF HIS DISCIPLINARY REPORT WHICH STATED ON THE REPORT SMT ON THE TOP OF THE DISCIPLINARY REPORT MEANING THE OFFENDER HAS A SERIOUS MENTAL ILLNESS.

5.) ON 7-16-19 I WENT IN FRONT OF THE ADJUSTMENT COMMITTEE CHAIRPERSONNEL BEING LIEUTENANT JOSHUA SCHOENBECK AND MARIVON T. AMPIER AND WAS FOUND GUILTY OF 102b-ASSAULT.

6.) THE ADJUSTMENT COMMITTEE GAVE PLAINTIFF THE MAXIMUM PENALTIES ON 3 MONTHS SEGREGATION, 3 MONTHS C-GRADE, 3 MONTHS COMMISARY RESTRICTION, 6 MONTHS CONTACT VISITS RESTRICTION. ALL SANCTIONS A NORMAL OFFENDER WOULD RECEIVE FOR AN GUILTY FINDING.

7.) THE CHIEF ADMINISTRATIVE OFFICER APPROVED OF THESE SANCTIONS ~~AND~~ WARDEN FRANK LAWRENCE ON 7-24-19.

8.) MENTAL HEALTH PROFESSIONALS CONDUCT A WELLNESS CHECK AT EACH OFFENDERS SEGREGATION CELL ON WEDNESDAY MORNING AND UPON REQUEST YOU CAN RECEIVE YOUR SEGREGATION RELEASE DATE AND THIS IS HOW I FOUND OUT THE COMMITTEE GAVE ME 3 MONTHS SEGREGATION.

9.) ON 7-30-19 I RECEIVED MY ADJUSTMENT COMMITTEE FINAL SUMMARY AND AFTER CAREFULLY REVIEWING MY ADJUSTMENT COMMITTEE FINAL SUMMARY THE ADJUSTMENT COMMITTEE FAIL TO REFLECT THAT I HAVE A SERIOUS MENTAL ILLNESS IN ITS REPORT AND IT FAILED TO CONTACT ANY MENTAL HEALTH PROFESSIONAL SO THAT THEY COULD MAKE THE NEEDED RECOMMENDATIONS ON PLAINTIFFS BEHALF REGARDING PLAINTIFFS ILLNESS DEPRIVING PLAINTIFF OF HIS DUE PROCESS.

10.) THE DISCIPLINARY REPORT BEFORE THEM CLEARLY SHOWED AND STATED I WAS S.M.I (SERIOUS MENTAL ILLNESS) AND THEY PURPOSELY DISREGARDED IT TO GIVE ME MAXIMUM PENALTIES.

11.) ON AND AROUND AUGUST ~~12th~~ 12th I PUT IN THE MAIL TO THE GRIEVANCE OFFICE MY GRIEVANCE WITH THE DISCIPLINARY REPORT ATTACHED AND THE ADJUSTMENT COMMITTEE FINAL SUMMARY ~~AND~~ STATING THAT THE ADJUSTMENT COMMITTEE DEPRIVED ME OF MY RIGHTS AS THEY FAILED TO CONTACT MENTAL HEALTH AS I AM S.M.I AND HAVE A SERIOUS MENTAL ILLNESS AND THAT I WAS GIVEN MAX SANCTIONS.

12.) ON 8-13-19 OFFICE COORDINATOR MS. SHEILA RAMSEY WROTE ME BACK STATING THAT THE GRIEVANCE OFFICE RECEIVED MY GRIEVANCE # 123-8-19 FOR OFFENDER DISCIPLINARY REPORT ON 7-11-19, GRIEVANCE DATED 7-28-19, AND THAT IT WAS FORWARD TO THE GRIEVANCE OFFICER FOR RESPONSE. (EXHIBIT 1)

(EXHIBIT 2)
13.) ON 9-26-19 I WRITE THE GRIEVANCE OFFICE CALLING FOR THE ~~THE~~ SANCTIONS TO BE EXPUNGED THAT THE ADJUSTMENT COMMITTEE GAVE ME DUE TO THEM DEPRIVING ME OF MY DUE PROCESS AND SOMEONE FROM THE GRIEVANCE OFFICE WROTE IN RED ON 9-30-19 THAT THE DISCIPLINARY REPORT IS OUT OF TIMEFRAME AND NOT SUBMITTED ON PROPER GRIEVANCE FORM BASICALLY ~~AND~~ SAYING I DONT HAVE A GRIEVANCE IN ON THE

Case 3:19-cv-01340-MAB Document 1 Filed 10/26/19 Page 8 of 26 RECEIVED
ISSUE WHEN EXHIBIT 1 CLEARLY SHOWS THE GRIEVANCE OFFICE REJECT-
ED MY GRIEVANCE AND WILL GIVE AN RESPONSE TO IT.

14.) I THEN SENT THE ADMINISTRATIVE REVIEW BOARD A LETTER AND GRIEVANCE OFFICE STATING WHAT THE MENARD GRIEVANCE OFFICE IS DOING AND THEREFORE CAUSING ME TO RESUBMIT MY GRIEVANCE KNOWING IT WILL ~~BE~~ BE REJECTED DUE TO NOT SUBMITTING IN THE TIME FRAME AS YOU HAVE 60 DAYS FROM DATE OF INCIDENT TO FILE A GRIEVANCE. A COPY OF THE LETTER IS DEEMED (EXHIBIT 3).

15.) THE GRIEVANCE OFFICE KNEW THEY ~~WAS GOING TO HAVE~~ ~~AND THEY HAVE~~ TO EXPUNGE ALL SANCTIONS GIVEN TO PLAINTIFF AND IS WHY THEY HAVE PURPOSELY LOST MY GRIEVANCE, DISCIPLINARY REPORT, AND ADJUSTMENT COMMITTEE FINAL SUMMARY.

16.) PLAINTIFF IS UNABLE TO PROVIDE THE COURT WITH THE DISCIPLINARY REPORT AS PLAINTIFF HAD TO ATTACH IT TO THE GRIEVANCE THAT THE DEFENDANTS DID SOMETHING WITH AND PLAINTIFF IS INDIGENT AND THE RECORD OFFICE WONT ALLOW PLAINTIFF TO GET COPIES OF IT OUT HIS MASTERFILE WITHOUT PAYING FOR IT, (EXHIBIT 4).

17.) PLAINTIFF RECEIVED AN EXTRA COPY OF THE ADJUSTMENT COMMITTEE FINAL SUMMARY REPORT THROUGH THE MAIL BUT ITS NOT THE ONE ATTACHED WITH THE GRIEVANCE AND DISCIPLINARY REPORT, (EXHIBIT 5)

18.) I RESPECTFULLY ASK THE COURT TO ALLOW PLAINTIFF TO PROCEED ON CLAIM DUE TO DEFENDANTS NEGLIGENCE AND HANDLING OF MISSING GRIEVANCE IN THERE POSSESSION AS EXHIBIT 1 DEMONSTRATES I DID WHAT I WAS SUPPOSE TO PROCEDURALLY.

19. I RESPECTFULLY ASK THE COURT TO EXCUSE PLAINTIFF FROM THE GRIEVANCE PROCESS BECAUSE EVEN IF I FILE A GRIEVANCE NOW IT WOULD BE REJECTED BY BOTH, THE GRIEVANCE OFFICE AND THE ADMINISTRATIVE REVIEW BOARD DUE TO PLAINTIFF NOT FILING IT WITHIN 60 DAYS OF INCIDENT, NOW THAT DEFENDANT HAVE DONE SOMETHING WITH IT.

20.) DEFENDANTS WERE DELIBERATE INDIFFERENCE TO PLAINTIFFS MEDICAL NEED AS HE IS UNDER THE CARE OF MENTAL HEALTH FOR HIS SERIOUS MENTAL ILLNESS WHEN THEY FAILED TO CONTACT MENTAL HEALTH AND THIS OFFENDER GIVEN 90 DAYS SEGREGATION.

21.) THE EFFECTS OF SEGREGATION ON SOMEONE THAT HAS A SERIOUS MENTAL ILLNESS IS ONE THAT IS NEGATIVE AS TESTIFIED TO AND OPINIED BY DR. KELLY ANN RENZI, PH.D, PSYCHOLOGIST, (EXHIBIT 6).

22.) DR. MEIVIN HENTON A CHIEF OF MENTAL HEALTH SERVICES OF THE

ILLINOIS DEPARTMENT OF CORRECTIONS AND PROBATION Case 2:17-cv-01140-MAB Document 1 Filed 10/19/19 Page 9 of 20 Page ID# 150
AND TESTIFIED TO THE COURT, DR. HINTON, "THERES NOTHING THAT IS GOOD THING ABOUT BEING IN SEGREGATION," ^{SUPPORTING} ~~MAJOR~~ THIS STATEMENT WAS COURT MONITOR DR PABLO STEWART WHICH TESTIFIED, "[A] PERSON WITH A PRE-EXISTING MENTAL ILLNESS PLACED IN SEGREGATION WILL HAVE AN EXACERBATION OF THEIR PRE-EXISTING MENTAL ILLNESS." SEGREGATION CAN ALSO CAUSE DEGRADATION OF COPING MECHANISMS AND LEAD TO INCREASES IN SELF HARM AND OTHER ACTING-OUT BEHAVIORS. (EXHIBIT 6 - RASHO VS WALKER ET AL NO. 07-1298 Pg. 32).

23.) I WOULD ALSO LIKE THE COURT TO REVIEW PAGES 33, 34, AND (35 LINE 952-960), JUST SO THE COURT CAN SEE THE ISSUES AND HOW MENARD CORRECTIONAL CENTER SEGREGATION IS NAMED IN COMPLAINT AND THE COURT CAN SEE IM BEING PLACED IN AN ENVIRONMENT, (SEGREGATION), THATS ALREADY HAVE SO MANY DEFENCANCIES AND A STAFFING PROBLEM PUTTING THIS OFFENDER MORE AT RISK TO HAVE TO DO 90 DAYS SEGIREGATION AT MENARD CORRECTIONAL CENTER WHICH IS A FACILITY INADAUATE IN MENTAL HEALTH. (EXHIBIT 7),

24.) BY ~~THE~~ PLAINTIFF HAVING A SERIOUS MENTAL ILLNESS THE MENTAL HEALTH PROFESSIONAL WOULD OF REVIEWED PLAINTIFFS HISTORY AND RECORD AND RECOMMENDED TO THE ADJUSTMENT COMMITTEE POSSIBLY NO SEGREGATION, OR SOME, BUT DEFENDANTS WERE DELIBERATE INDIFFERENCE TO MEDICAL/ MENTAL HEALTH NEEDS AS REQUIRED BY LAW PLAINTIFF IS ENTITLED TO, SUCH AS DEFENDANT SCHODENBECK, AMPTER, LAWRENCE.

25.) WHILE DEFENDANTS FAILED TO CARRY OUT PLAINTIFFS GRIEVANCE PROCESS BY OBSTRUCTING AND TAMPERING WITH PLAINTIFFS GRIEVANCE SO HE COULD NOT RECIEVE DUE PROCESS AND THOSE DEFENDANTS ARE CHEILA RAMSEY AND JANE/JOHN DOE OF THE GRIEVANCE OFFICE, AS WELL AS THE OTHER DEFENDANTS.

V. REQUEST FOR RELIEF

State exactly what you want this court to do for you. If you are a state or federal prisoner and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records, or parole), you must file your claim on a habeas corpus form, pursuant to 28 U.S.C. §§ 2241, 2254, or 2255. Copies of these forms are available from the clerk's office.

- 1.) EXPUNGE DISCIPLINARY SANCTIONS FROM PLAINTIFFS RECORDS
- 2.) AWARD PLAINTIFF \$15,000 FOR PUNITIVE, COMPENSATORY, NOMINAL, AND MENTAL AND EMOTIONAL INJURY/DAMAGES.
- 3.) ALL COPIES FEE AWARD PAYMENT FOR THOSE FOR PLAINTIFF.
- 4.) THE COST OF THIS SUIT BE AWARDED TO PLAINTIFF AS DEFENDANTS

VI. JURY DEMAND (check one box below) ARE CAUSE OF THIS SUIT.

The plaintiff ☒ does ☐ does not request a trial by jury.

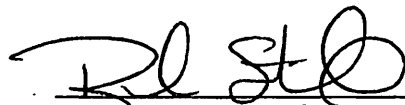
RELIEF
CONT'D →
(NEXT PAGE)

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed
on:

10-14-19
(date)



Signature of Plaintiff

P.O. BOX 1000

Street Address

RAYMOND STINDE

Printed Name

MENARD, IL. 62259

City, State, Zip

R34993

Prisoner Register Number

Signature of Attorney (if any)

RELIEF CONTINUED:

5.) THAT PLAINTIFF BE TRANSFERRED TO A DESIGNATED PRISON, DESIGNATED BY PLAINTIFF THAT MEETS PLAINTIFFS NEEDS AND WILL PROTECT PLAINTIFF FROM ANY RETALIATION FROM DEFENDANTS, AND PLAINTIFFS MENTAL HEALTH NEEDS CAN BE MET AND NOT REFUSED AS THE DEFENDANTS DID,

State of Illinois - Department of Corrections

Counseling Summary

IDOC #	R34993	Counseling Date	08/13/19 10:38:14:187
Offender Name	STINDE, RAYMOND J.	Type	Collateral
Current Admit Date	04/23/2009	Method	Grievance
MSR Date	09/18/2043	Location	MEN GRIEVANCE OFFICE
HSE/GAL/CELL	N2-06-33	Staff	RAMSEY, SHEILA M., Office Coordinator

Grievance office received a grievance #123-8-19 for ODR 7/11/2019, dated 7/28/2019. Forwarded to grievance officer for response.

- EXHIBIT[#] 1 -

- EXHIBIT 2 -

9-30-19
this ODR is out of time frame & not submitted on proper grievance form

TO: GRIEVANCE OFFICER (GRIEVANCE OFFICE)

FROM: MR. RAYMOND STINDE R34993

DATE: 9-26-19

SUBJECT: "GRIEVANCE ON DISCIPLINARY REPORT FROM 7-11-19
102b - ASSAULT, TICKET #201901269/1-MEN." GRIEVANCE #123-8-19

I AM RESPECTFULLY WRITING AND REQUESTING
THAT THE ABOVE DISCIPLINARY SANCTIONS BE
EXPUNGED FROM MY RECORD BECAUSE THE ADJUSTMENT
COMMITTEE VIOLATED MY RIGHTS AS STATED IN GRIEVANCE
BUT MY NEW RELIEF IS THAT OF EXPUNGEMENT.

THANK YOU FOR YOUR TIME!

RESPECTFULLY SUBMITTED,
R-L St-O

R34993

N2-6-33

CC: INMATE STINDE R34993

N2-6-33

GRIEVANCE OFFICER - HAND COPY

10

- EXHIBIT 3 -

DEAR A.R.B.,

HELLO, MY NAME IS RAYMOND STINDE AND I AM RESPECTFULLY WRITING STATING ON 7-28-19 I TURNED IN A GRIEVANCE TO THE GRIEVANCE OFFICE. MS. RAMSEY WROTE ME BACK AND SAID SHE RECEIVED IT AND MY GRIEVANCE # IS 123-8-9. ON SEPTEMBER 26TH 2019 I WROTE THE GRIEVANCE OFFICE ASKING FOR THE EXPUNGEMENT OF SAID GRIEVANCE.

THE GRIEVANCE OFFICE STATED MY GRIEVANCE IS OUT OF TIMEFRAME AND THAT IT WAS NOT SUBMITTED ON A PROPER GRIEVANCE FORM BASICALLY INDICATING THAT I DONT HAVE A GRIEVANCE IN ON THIS ISSUE WHICH I DO AND MS. RAMSEY COUNSELING SUMMARY PROVES I DO HAVE A GRIEVANCE IN ON DISCIPLINARY REPORT 7-11-19.

I KNOW THAT IF I SUBMIT ANOTHER GRIEVANCE IT WILL ^{ONLY} ~~BE~~ BE REJECTED BY THE GRIEVANCE OFFICE AND YOURS I JUST WANTED TO MAKE YOU AWARE OF WHAT MENARD CORRECTIONAL CENTER IS DOING, PURPOSELY LOSING MY GRIEVANCE BECAUSE THEY KNEW THEY WOULD HAVE TO EXPUNGE GRIEVANCE DUE TO THE ADJUSTMENT COMMITTEE VIOLATIONS. THANK YOU FOR YOUR TIME

CC: GRIEVANCE OFFICE - COPY
ADMINISTRATIVE REVIEW BOARD - COPY
STINDE R34993 - COPY

RESPECTFULLY SUBMITTED,
R. Stinde

~~EXHIBIT 4~~

TO: MS.D. MARCINKOWSKA (RECORDS OFFICE)
FROM: RAYMOND STINDE R34993 NZ-6-33
DATE: 9-9-19
SUBJECT: RECORDS REQUEST

HELLO, COULD YOU PLEASE SEND ME
A COPY OF ALL MY ADJUSTMENT COMMITTEE
FINAL SUMMARY REPORTS HEARD ON 7/11/19.
MONEY VOUCHER ENCLOSED THANK YOU

P.S. IT SHOULD BE LIKE 60R6
OF THE FINAL SUMMARY REPORTS.

RESPECTFULLY SUBMITTED,



R34993

NZ-6-33.

(RECORDS OFFICE) ↓

you have no funds in your account
Resubmit when you have funds

STATE OF ILLINOIS -- DEPARTMENT OF CORRECTIONS

ADJUSTMENT COMMITTEE

FINAL SUMMARY REPORT

Name: STINDE, RAYMOND J IDOC Number: R34993 Race: BLK
Hearing Date/Time: 7/16/2019 08:55 AM Living Unit: MEN-N2-06-33 Orientation Status: N/A
Incident Number: 201901269/1 - MEN Status: Final

Date	Ticket #	Incident Officer	Location	Time
7/11/2019	201901269/1-MEN	JUSTICE, BRANDON D	PNK-R5 CELLHOUSE	10:05 AM

Offense	Violation	Final Result
102b	Assault <i>Comments: Threw on staff</i>	Guilty

Witness Type	Witness ID	Witness Name	Witness Status
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No Witness Requested

RECORD OF PROCEEDINGS

Offender appeared before the committee for charges and plead guilty stating "I threw piss on the officer."

BASIS FOR DECISION

Based on the observation of the reporting employee, Inmate Stinde, Raymond R34993 asked the R/O to come to Cell 5A38, where he resides. Upon arriving at Cell 5A38, Inmate Stinde threw a liquid substance through the screen of his cell door and stated "How does that piss feel you bitch ass mother fucker!" The liquid substance struck the R/O on both arms. The R/O went to the Health Care Unit to be evaluated and cleaned. Zone Lt. and Shift Commander notified. Inmate Stinde, Raymond R34993 was identified by State ID and Offender 360.

Committee finds inmate guilty based on information provided and accepts the written report to be a factual account of the incident and is satisfied the violations occurred as reported.

Committee finds inmate guilty based on the admission of guilt by the offender.

Inmate Stinde, Raymond R34993 has a past history that includes several citations for same charge.

DISCIPLINARY ACTION (Consecutive to any priors)

RECOMMENDED

3 Months C Grade
3 Months Segregation
3 Months Commissary Restriction
6 Months Contact Visits Restriction

Basis for Discipline: Nature of offense

FINAL

3 Months C Grade
3 Months Segregation
3 Months Commissary Restriction
6 Months Contact Visits Restriction

Signatures

Hearing Committee

SCHOENBECK, JOSHUA A - Chair Person

AMPIER, MARIVON T

Recommended Action Approved

Signature	Date	Race
	07/16/19	WHI
	07/16/19	ASN

Final Comments: N/A

EXHIBIT 5

STATE OF ILLINOIS -- DEPARTMENT OF CORRECTIONS

ADJUSTMENT COMMITTEE

FINAL SUMMARY REPORT

Name: STINDE, RAYMOND J	IDOC Number: R34993	Race: BLK
Hearing Date/Time: 7/16/2019 08:55 AM	Living Unit: MEN-N2-06-33	Orientation Status: N/A
Incident Number: 201901269/1 - MEN	Status: Final	

FRANK E LAWRENCE / FEL 7/24/2019

Chief Administrative Officer

Signature

07/24/19

Date

The committed person has the right to appeal an adverse decision through the grievance procedure established by Department Rule 504: Subpart F.

SANDY L WALKER

Employee Serving Copy to Committed Person

7/30/2019

02:00 PM

When Served -- Date and Time

— EXHIBIT 5 —

880 that offenders are actually taking their medication, but there have been educational efforts to train
881 staff. (ECF No. 2376 at 277-79). Dr. Stromberger testified that nursing staff are not fully aware
882 of referral protocol when class members refuse medications. (ECF No. 2376 at 48). Dr.
883 Stromberger, however, did note that there had been some educational follow-up on that issue.

884 This testimony is consistent with Dr. Stewart's testimony during the preliminary injunction
885 hearing. Dr. Stewart testified that one major problem is that inmates are given their medications
886 but not monitored closely to ensure they have ingested the pills, especially in segregation. (ECF
887 No. 1757 at 123). Dr. Stewart testified one of the inmates he visited had numerous pills on his
888 person that he had not taken. (ECF No. 1757 at 254). It should be noted that Dr. Puga is certainly
889 aware of these issues and has been working on measures to assist in medication compliance. (ECF
890 No. 2372 at 136-37). Nonetheless, these issues again highlight the general staffing issues and the
891 need for additional measures to be considered.

892 **Mental Health Treatment in Segregation**

893 Segregation refers to an inmate's confinement in his or her cell for a period of 22 to 23
894 hours a day. (ECF No. 1757 at 103). In the IDOC, over 80% of the inmates in the IDOC who are
895 in segregation are mentally ill. (Pl. Ex. 22, 897 out of 1105 inmates in segregation are mentally
896 ill). Dr. Hinton opined that the "percentage of [inmates] who are mentally ill tend to have more
897 behavioral issues, in part because of their mental illness." (ECF No. 1758 at 81). Dr. Hinton
898 further opined that "there's nothing that is a good thing about being in segregation." *Id.*
899 Supporting such an opinion, Dr. Stewart testified "[a] person with a pre-existing mental illness
900 placed in segregation will have an exacerbation of their pre-existing mental illness." (ECF No.
901 1757 at 109). Segregation can also cause a degradation of coping mechanisms and lead to
902 increases in self-harm and other acting-out behaviors. (ECF No. 1757 at 109-111). Dr. Renzi also
903 agreed that segregation can have a negative effect on mental illness. (ECF No. at 2376 at 295).

EXHIBIT 7
FRONT 1/3 BACK

904 Inmates Champs, King, Span, and Singleton all testified about their negative experience in
905 segregation. (ECF No. 2376 at 91-112, 113-148; ECF No. 1758 at 271-287, 394-412). Given this,
906 it is clear mental health issues must be addressed for mentally ill inmates in segregation.

907 Under Sections XV(a)(iii), the Parties agreed that:

908
909 Mentally ill offenders in segregation shall continue to receive, at a minimum, the
910 treatment specified in their Individual Treatment Plan (ITP). Treating MHPs and
911 the Warden shall coordinate to ensure that mentally ill offenders receive the
912 services required by their ITP.

913
914 (ECF No. 711-1 at 17). The Settlement Agreement places certain timeframes on MHP's review
915 of, and updates to, the treatment plans for mentally ill offenders placed in segregation. *Id.* Dr.
916 Stewart explained the purpose of this requirement is simple – when you place an inmate “into a
917 segregation system, you need to review and update the treatment plan given the vastly different
918 environment the person is in.”³ (ECF No. 1905 at 82).

919 During the preliminary injunction hearing, Dr. Stewart testified that the IDOC's medication
920 management for those in segregation is worse than for Class Members elsewhere in the system.
921 (ECF No. 1757 at 123). Dr. Stewart specifically noted that there is a significant problem in the
922 failure to ensure that those in segregation who are prescribed psychotropic medication actually
923 take the medication. (ECF No. 1757 at 123). Additionally, there was testimony and evidence
924 during the preliminary injunction hearing regarding Defendants' non-compliance with the out-of-

³ It should be noted that Dr. Stewart also explained that inmates in segregation are:

[.] some of the sickest individuals psychiatrically that I've seen in my career, and I've only worked with seriously mentally ill. And these people are just suffering immensely.

And so -- you know, and they get nothing. Couple little things thrown at them. But they really don't get any sort of regular treatment.

And so this is a real serious issue, you know. I don't want to put a number on it. It's, it's -- it's as serious as I've seen.

(ECF No. 1905 at 182-83).

* EXHIBIT 7+
Front & BACK

952 However, it was noted that “received” hours included those that were taken and offered but
953 refused. *Id.* The actual average out-of-cell time was 4.24 hours at Menard, 2.996 hours at Pontiac,
954 and 3.13 hours at Dixon. *Id.* Parenthetically, it should be noted that the majority of structured
955 out-of-cell time was by way of movies. (Pl. Ex. 45A; *see also* ECF No. 2374 at 126⁴).

956 The most significant issue raised by these numbers is the importance of staffing. Dr. Doyle
957 and Dr. Mirsky both testified that refusing group or other mental health services can be a potential
958 indicator of decompensation. (ECF No. 2377 at 48; ECF No. 2370 at 276). Nonetheless, the record
959 indicates a lack of concern or follow-up for those individuals refusing to participate in these
960 activities.

961 ***Mental Health Treatment on Crisis Watch***

962 Like segregation, inmates who are on crisis watch are in isolation and additional care is
963 necessary to avoid exacerbating their mental health issues. Crisis refers to an acute exacerbation
964 of mental illness, such as worsening psychosis or mania, or acting out behaviorally, or when
965 someone is acutely suicidal or potentially violent. (ECF No. 1757 at 51-53). The purpose of crisis
966 cells or watches in correctional mental health systems is to, first, protect the individual from self-
967 harm or harming others, and second, to provide appropriate mental health assessment and
968 intervention, such as re-evaluating medication, re-evaluating the psychosocial treatment, and
969 addressing whatever issues precipitated the crisis (ECF No. 1757 at 219; *see also* at 38, Dr. Stewart

⁴ Dr. Stewart testified about the use of movies as a structured treatment activity:

It certainly would -- it could contribute to lessening the decompensation, but I don't -- it's not a --
necessarily a therapeutic activity, so I would question its validity for that purpose.

I think it's a good thing to get people out of their cells and doing anything. I want to be real clear
about that.

(ECF No. 2374 at 126).

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOISRAYMOND STINDE
PLAINTIFF

VS

JOSHUA SCHOENBECK, ET AL
DEFENDANTDECLARATION

CIVIL ACTION #

I HEREBY DECLARE THE FOLLOWING: ① I HAVE BEEN DIAGNOSED WITH

A SERIOUS MENTAL ILLNESS FOR YEARS NOW. ② THAT THE ADJUSTMENT COMMITTEE WAS PUT ON NOTICE THAT I AM AND HAVE A SERIOUS MENTAL ILLNESS BY HEARING INVESTIGATOR AND ON THE DISCIPLINARY REPORT WHICH IS LABELED S.M.I. ③ THE ADJUSTMENT COMMITTEE DISREGARDING PLAINTIFF

BEING SMI AND GAVE PLAINTIFF MAX SEGREGATION SANCTIONS AS WELL AS OTHER SANCTION THAT A NORMAL OFFENDER WOULD RECEIVE THAT ISN'T S.M.I. ④ THAT FRANK LAWRENCE APPROVED OF THESE SANCTIONS TURNING A BLIND EYE TO THE ADJUSTMENT COMMITTEE DISREGARDMENT OF PLAINTIFFS MENTAL HEALTH STATUS. ⑤ ON 8-12-19 I TURNED IN MY GRIEVANCE TO THE GRIEVANCE OFFICE. ⑥ ON 8-13-19 THE GRIEVANCE

OFFICE COORDINATOR MS. SHEILA RAMSEY RESPONDED THAT SHE RECEIVED IT, DEEMED IT GRIEVANCE #123-8-19 (EXHIBIT 1) ⑦ THE GRIEVANCE WAS ABOUT THE SAME ISSUES STATED HEREIN, THE ADJUSTMENT COMMITTEE CLEAR DISREGARD-

MENT OF PLAINTIFF BEING S.M.I. ⑧ ON 9-26-19 I WROTE THE GRIEVANCE OFFICE AND THERE RESPONSE WAS I WAS OUT OF THE TIME FRAME AND MY GRIEVANCE WASN'T SUBMITTED ON A GRIEVANCE FORM LIKE PLAINTIFF NEVER SUBMITTED A GRIEVANCE. (EXHIBIT 2) ⑨ I THEN PROCEEDED TO THE NEXT LEVEL,

ADMINISTRATIVE REVIEW BOARD, (EXHIBIT 3) MAKING THEM AWARE OF EVERYTHING HEREIN AND IT WOULD BE USELESS AT THIS POINT TO SUBMIT ANOTHER GRIEVANCE BECAUSE IT WOULD ONLY BE DENIED ON ALL LEVELS AND TIME BARRED. ⑩ THAT

PLAINTIFF FOLLOWED ALL PROCEDURES CONCERNING EXHAUSTION OF REMEDIES AND THAT THE DEFENDANTS HAVE DONE SOMETHING WITH PLAINTIFFS GRIEVANCE. ⑪ THAT I HAVE WRITTEN THE DEFENDANTS OF THE ADJUSTMENT

COMMITTEE IN AN ATTEMPT TO GET A COPY OF MY DISCIPLINARY REPORT AND THEY HAVE NOT RESPONDED. ⑫ THAT I HAVE TRIED TO GET COPIES OUT

MY MASTERFILE AND DUE TO PLAINTIFF BEING INDIGENT I WAS DENIED SO THAT IS WHY I AM UNABLE TO PROVIDE THE COURT WITH A COPY OF MY DISCIPLINARY REPORT AND ADJUSTMENT COMMITTEE FINAL SUMMARY, (THE ORIGINAL), DUE ALSO TO PLAINTIFF ATTACHING THOSE 2 DOCUMENTS TO THE GRIEVANCE AS REQUIRED AND THE DEFENDANTS ALLOWING IT TO COME UP MISSING, (MS. SHEILA RAMSEY).⁽³⁾ THAT DEFENDANT'S SCHOENBECK, AMPTER, AND LAWRENCE WERE ALL DELIBERATE INDIFFERENCE TO THIS PLAINTIFF'S MEDICAL/MENTAL HEALTH NEEDS PLAINTIFF WAS ENTITLED TO BY DUE PROCESS OF LAW BY REFUSING TO INVOLVE MENTAL HEALTH PROFESSIONALS BEFORE GIVING PLAINTIFF MAX SANCTIONS.⁽⁴⁾ MS. SHEILA RAMSEY AND JANE/JOHN DOE WAS IN CHARGE OF MY GRIEVANCE PROCESS AND MAKING SURE I RECEIVED DUE PROCESS.^{IS} THE RED WRITING ON EXHIBIT 2 CAME FROM SOMEONE FROM THE GRIEVANCE OFFICE.

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT PURSUANT TO 28 USC 1746, 18 USC 1621, OR 735 ILCS 5/1-109. I DECLARE I AM THE ABOVE NAMED PARTY OF THIS DECLARATION EXECUTED AT MENARD CORRECTIONAL CENTER IN MENARD, ILLINOIS ON 10-12-19.

RESPECTFULLY SUBMITTED,



RAYMOND STINDE
R34993

P.O. BOX 1000
MENARD, IL. 62759

UNITED STATE ^{IN THE} DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RAYMOND STINDE

Plaintiff/Petitioner

Vs.

No. _____

LT. JOSHUA SCHOENBECK

Defendant/Respondent

PROOF/CERTIFICATE OF SERVICE

TO: CLERK OF THE COURT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
301 WEST MAIN STREET
BENTON, IL 62812

TO: _____

PLEASE TAKE NOTICE that at: 9:00 AM/PM OCTOBER 14th, 2019, I
placed the documents listed below in the institutional mail at MENARD
Correctional Center, properly addressed to the parties listed above for mailing through the
United States Postal Service.

1983 COMPLAINT (11 PAGES), EXHIBITS 1-7, DECLARATION

FROM RAYMOND STINDE, MOTION TO PROCEED/AFFIDAVIT WITHOUT PREPAYING
FEES OR COST, TRUST FUND CERTIFICATION,

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/1-109 I declare, under penalty of perjury
that I am a named party in the above action, that I have read the above documents, and that
the information contained therein is true and correct to the best of my knowledge and belief.

DATED: 10-14-19

/s/ R. Stinde
Name: RAYMOND STINDE
IDOC No. R34993
MENARD Correctional Ctr.
POB LOOO
MENARD, IL
62259

DEAR CLERK OF THE COURT,

10-14-19

HELLO, ENCLOSED YOU WILL FIND AN
EXTRA COPY OF COMPLAINT AND EXHIBITS I WOULD
LIKE STAMPED AND FILED AND RETURNED PLEASE.
THANK-YOU FOR YOUR TIME.

RESPECTFULLY SUBMITTED,

RAYMOND STINDE

R 34993

P.O. BOX 1000

MENARD, IL. 62259

RAYMOND STINDE R34993

P.O. BOX 1000

BENARD, I.L.
62259

Correspondence from IDOC Inmate

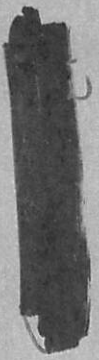
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CLERK OF THE COURT

UNITED STATES DISTRICT

COURT

301 WEST MAIN STREET

BENTON, I.L. 62812

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OCT 21 2019

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
CENTON OFFICE

* LEGAL / PRIVILEGED MAIL *